

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA) MATTICE/CARTER
)
v.) CASE NO. 1:11-CR-96
)
DARRIUS KELLY)

O R D E R

On January 3, 2012, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant's plea of guilty to Counts One and Two of the Two-Count Indictment; (b) the Court adjudicate Defendant guilty of the charges set forth in Counts One and Two of the Two-Count Indictment; and (c) Defendant shall remain in custody pending sentencing in this matter (Doc. 20). Neither party filed an objection within the given fourteen days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Counts One and Two of the Two-Count Indictment is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One and Two of the Two-Count Indictment; and
- (3) Defendant **SHALL REMAIN IN CUSTODY** pending sentencing on **Monday, April 9, 2012, at 9:00 am.**

SO ORDERED.

ENTER:

/s/ Harry S. Mattice, Jr.

HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE